

COLOMBIAN STATE PAPERS

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COLOMBIAN STATE PAPERS,

TRANSLATED AND PUBLISHED

FROM

Official Copies ;

BEING THE ACT OF INSTALLATION OF THE HOUSES OF
SENATE AND REPRESENTATIVES; THE MESSAGE OF
THE VICE-PRESIDENT ON THE OPENING OF CON-
GRESS; A REPORT ON THE DIPLOMATIC RELATIONS
OF COLOMBIA, &c. &c.



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PREFACE.

AFTER the manner in which the present Collection of Documents relating to Colombia has been designated, no further introduction might be deemed necessary to the British Public, if it had not almost become an established rule for a publisher to state the reasons why he solicits attention to the work he is about to produce.

The unconnected and partial manner in which the State Papers received from Colombia have been published in the daily prints of this metropolis, during the late session of parliament, suggested the idea of presenting the following ones in a collective shape, as the best means to establish and explain the motives of the long delay in the meeting of the Colombian Congress, an incident that has occasioned some uneasiness and regret; and also to mark the progress made in the consolidation of the government. This delay is the more painful, as it has hitherto deprived the public of this country, exquisitely alive to, and deeply interested in, every thing passing in the New World, of the pleasure so naturally felt in contemplating the regular, systematic, and prudent course pursued by the new state of Colombia; nevertheless it will now be found, that this delay renders her still more estimable, as it has been occasioned by the

previous incursions of the enemy, which, either called some of the representatives of the people to the field of battle, gave rise to the capture of others, or obstructed their journey to the seat of government. In these simple facts, as well as in the sentiments conveyed in the State Papers hereto subjoined, we have a proof of that respect which the Colombians shew to their new institutions, and the eager readiness with which they step forward in their defence. The principles contained in the following documents will besides be found perfectly in accord with the Constitution and Code of Laws enacted and sanctioned by the Constituent Congress of Cúcuta, which, in the course of a few days, will also be laid before the British Public, and to which the present publication may be considered as a kind of prelude.

INSTALLATION
OF THE
FIRST CONSTITUTIONAL CONGRESS
OF
COLOMBIA.

*Republic of Colombia—House of Senate—Bogotá,
April 11, 1823.—13.*

TO HIS EXCELLENCY THE VICE-PRESIDENT OF THE REPUBLIC
CHARGED WITH THE EXECUTIVE POWER.

MOST EXCELLENT SIR,

IN conformity to a Resolution of the House of Senate,
I have the honour to enclose to Your Excellency an authorized copy of the Act of the Installation of the same, for such purposes as are therein stated.

God preserve Your Excellency many years, &c.

(Signed) RAFAEL URDANETA,
President of the Senate.

ACT.—In the capital of the Republic of Colombia, this 8th day of April, 1823, the undersigned fifteen senators having met, and presented as their credentials, the communications made by the secretary of state for the interior, by order of the supreme executive power, respecting their elections, they have agreed as follows :—That the installation of the Congress having hitherto been delayed in

consequence of the competent number of senators not having assembled in due time, as prescribed by the Constitution for the opening of the sessions of the two houses; and that doubts having been excited respecting the quorum of members corresponding to the senate, in consequence of their number being increased through the elections made for the three new departments of the isthmus of Panama, Quito and Guayaquil, annexed to the seven former ones of the Republic—the question has been carefully and deliberately discussed in several conferences, by members of the two houses, whether the basis of an absolute plurality, as required by the fundamental laws, ought to be that of twenty-eight senators named by the constituent Congress, or the number should be carried to forty, including the twelve newly elected? And ultimately, and almost with total unanimity, they have agreed, that a majority of fifteen is sufficient, reckoned out of the twenty-eight first senators, in order constitutionally to install the said senate; having moreover taken into consideration that the same can only be composed of fit and accredited members, regularly qualified, elected by a sufficient number of votes, and their elections subsequently scrutinized and declared as duly returned by a competent authority, and entitled to serve; that of these qualifications those members consider themselves possessed who were named by the sovereign and constituent assembly, the latter having deemed themselves entitled and called upon, for the first time, to assume the powers of the electoral meetings and subsequent legislature to whom the Constitution declares these attributes to belong. The same qualifications are not, however, possessed by the new senators, on account of their respective departments being constituted provisionally, and only until the meeting of Congress, to whom the ratification thereof belongs, and on this sanction also implicitly depends the validity of their nomination; in the first place, because the registers thereof have not been constitutionally opened, nor has the scrutiny and proofs of their

elections been established ; neither have they yet been declared senators, nor those replaced who have not obtained the necessary number of votes ; and secondly, because a body exclusively authorized to perform all these essential duties ought previously to exist, to which the new senators are subject, since the same cannot possibly be dispensed with without the open infraction of that Constitution, which has thought proper, and was empowered, to prescribe them ; that, for this very reason, even when the latter departments were differently situated with regard to the former, and the twelve new senators were actually assembled in this capital, the absolute plurality required could not be established by their attendance, nor the senate enabled to open their sittings, without disregarding those requisites and previous formalities prescribed by the fundamental laws ; and that, if in conformity to this rule they cannot be considered as entitled to form part of the aforesaid body at its opening, much less can they be supposed necessary to complete the number of members in the same case ; for if they were entitled to the latter right, they certainly would be equally so as regards the first. That they have, in like manner, reflected that the Constitution does not, for the legal installation of the house of senate, require, as a peremptory condition, the actual and express presence of the number of members corresponding to the whole of the departments of the Republic, when it points out a period in which it supposes the senate to be in existence, at the same time that it declares half of the seats of the members to be vacated, and consequently precludes the possibility of an absolute majority of all of them. And finally, that, from the time that has elapsed, as well as the communications of the government, the absolute impossibility is proved of assembling at present the plurality of twenty-one senators, duly returned, in consequence of some of them being at the moment employed on service of the greatest importance to the prosperity and security of the state ; others prevented by serious illness, or by various accidents or obstacles totally

insuperable ; that if moreover the necessity were insisted on, of the aforesaid number for the first opening of the senate, and the consequent installation of the legislature, for the mere purpose of supporting the interpretation of one single article of the Constitution, rigorous in itself, and incompatible with the whole organic and analytical system of the same, as this would deprive the Republic of its essential basis of popular and representative government during the present year, and with greater probability in the following ones, since the difficulties would be increased contrary to the intent and letter of our Fundamental Law, which has declared that the supreme power shall always be divided into legislative, executive, and judicial ; that this would be an enormous detriment to the true interests of the Republic ; and that in consequence of all these urgent and powerful reasons, they declare that the absolute plurality corresponding to the senate is complete, the session therefore opened and the house installed. By virtue thereof, and in order to proceed to the election of president, vice-president, and secretaries of the same, the following motions were previously made : whether it would be lawful to vote in the name of the absent senators for the two first appointments ? whether the absolute plurality, or one vote above the half, will be sufficient to complete the election ? and whether the secretary ought to be elected, not being a member of the house ? The whole three propositions being sanctioned by an affirmative vote, the members first proceeded to the election of the president of the senate, and a scrutiny having been made of the votes, his excellency general Rafael Urdaneta was returned, elected by nine votes against six ; and, in consequence thereof, having taken the oaths prescribed by the Constitution, he took his seat. The house then proceeded to the election of the vice-president, and on the votes being summed up, Dr. Jeronimo Torres was returned, elected by nine votes against six ; who, together with the other senators, took the constitutional oath in the hands of the

president. Finally, S. Antonio José Caro was elected secretary of the house, by the unanimous vote of all the members. It was then agreed to notify the installation and opening of the session of the house of senate to that of the representatives and the executive power, by respective deputations, which were immediately named; and further resolved, that a due communication should be made to the government of the present act, for their own knowledge, and for the purpose of laying the same before the public, by ordering it to be printed in the Gazette of Colombia; after which the sitting terminated, and the house rose.

(Signed) RAFAEL URDANETA,
 JERONIMO TORRES,
 RAFAEL, *Bishop of Merida and Maracaibo*,
 NICOLAS CUERVO,
 ANTONIO M. BRICEÑO,
 EUSEBIO AFANADOR,
 LUIZ A. BERALT,
 VICENTE LUCIO CABAL,
 JOSÉ M. DEL REAL,
 FRANCISCO XAVIER CUEVAS,
 JOSÉ AUGUSTIN BARAONA,
 ESTANISLAO VERGARAO,
 JOSÉ MIGUEL URIBE,
 FRANCISCO SOTO,
 ANTONIO MALO.

Presidency of the House of Representatives, Bogotá,
April 10, 1823.—13.

TO HIS EXCELLENCY THE VICE-PRESIDENT OF THE REPUBLIC,
 CHARGED WITH THE EXECUTIVE POWER.

I have the honour to enclose to Your Excellency the act of the installation^v of the house of representatives of the first Constitutional Congress of Colombia.

By a special resolution of the house, I transmit to Your Excellency the result of the first act, by which the installation has been solemnized; and, as soon as the second is completed, which is intended to regulate the despatch of public business, the house will then enter into such relations as will place them in contact with the executive.

God preserve Your Excellency many years.

(Signed)

DOMINGO CAICEDO.

Acr.—In the city of Bogotá, in the department of Cundinamarca, this 9th day of April, in the year of our Lord 1823, and 13th of the Republic, the undersigned representatives appointed to compose the first Constitutional Congress of Colombia, and who, till this day, have not been able to form a house, in consequence of the want of an absolute plurality, as prescribed by the 57th Article of the Constitution, assembled in the hall destined for their sittings, to the number of forty-six, being the absolute plurality of those named by the provinces, actually constituting the Republic, the house was declared to be formed; and, after two tellers had been named by an unanimous vote, the choice having fallen on Messrs. Antonio Viana and José Sanguineto, they proceeded to take and scrutinize the votes for the president, when it appeared that Sr. Domingo Caicedo was returned to that appointment by an absolute plurality, as required by a previous decision of the house; and, under similar formalities, were afterwards returned as elected, Sr. Juan José Osio, as vice-president; and, with a respective majority, Sr. Pedro Herrera as secretary.

Immediately afterwards the president took the oath, in presence of the whole house, to support and defend the Constitution, and duly and faithfully to perform the duties of his appointment, conformably to the 185th Article of the said Constitution; and in turns, and under the formalities therein prescribed, the vice-president, secretary, and

the other honourable members of the house, took the oaths in the hands of the president, after which the house rose.

(Signed) DOMINGO CAICEDO,
 JUAN JOSÉ OSIO,
 FRANCISCO PEREIRA,
 MANUEL QUIJANO,
 JOAQUIN ORTIZ,
 JUAN ESCOVAR,
 JUAN MANUEL ARRUBLAS,
 FRANCISCO MONTOYA,
 JUAN DE DIOS ARANZAZU,
 INACIO HERRERA,
 LEANDRO EJEJA,
 JOSÉ MARIA HINESTROSA,
 CAMILO MANRIQUE,
 MANUEL VASQUEZ,
 MANUEL ESCOVAR,
 IGNACIO SARABIA,
 MANUEL BAÑOS,
 MANUEL CAMPOS,
 JUAN NEPOMUCENO AZUERO,
 JACINTO RAMIRES,
 JOAQUIN SUARES,
 JOAQUIN BORRERO,
 IGNACIO VANEGAS,
 MIGUEL VALEÑZUELA,
 JUAN BAUTISTA VALENCIA,
 LORENZO SANTANDER,
 JUAN DE DIOS PICON,
 JOSÉ ANTONIO MENDOSA,
 MIGUEL PALACIOS,
 CAYETANO ARBELO,
 MARIANO ECHESURIA,
 MIGUEL UNDA,
 JOSÉ MARIA SANGUINETO,
 MANUEL PARDO,

JUAN FERNANDES SOTO-MAYOR,
 PEDRO MOSQUERA,
 ANTONIO TORRES,
 JUAN FRANCISCO MANFREDO,
 ISIDRO ARROYO,
 ANTONIO VIANA,
 INACIO SANMIGUEL,
 JOSÉ MANUEL OLIVARES,
 FELIPE DELEPIANI,
 ANTONIO MARCOS,
 JOSÉ JOAQUIN CHIRIBOGA,
 PEDRO HERRERA.

MESSAGE OF THE EXECUTIVE POWER OF COLOMBIA, ON
 THE OPENING OF THE FIRST CONSTITUTIONAL CONGRESS
 OF THE REPUBLIC.

Fellow-citizens of the senate and of the chamber of representatives,—The solemn installation of the second Congress of Colombia, is one of the most happy events of my political life. Its meeting in the manner prescribed by our fundamental laws, is both an unanswerable testimony of the acquiescence of the government in the declared will of the nation, and a motive for consolation to the Republic, and of shame to its enemies. This most august body uniting the most enlightened understandings, the purest patriotism, and the most extensive experience, its deliberations cannot fail to be the fruits of the most ardent desire for the public prosperity. I am convinced that wise laws, salutary reforms, and measures which, by disseminating universal happiness and good-will, shall consolidate the work of twelve years of sacrifices, will result from your deliberations, and be the abundant fruit which the people will receive with joy and gladness. However great were the exertions and labours of the last General Congress, and however laudable the desire by which it was animated,

there is a void in the Republic which you are called upon to make good. The constituent Congress could scarcely do more than trace out the line by which succeeding legislatures could proceed with security. The executive government will, by means of its respective organs, lay before the Congress all the information and materials which time and circumstances have permitted it to collect : and you, gentlemen, selecting the best and most proper for the happiness of the nation, will find a vast field open to your deliberations, and to the fulfilment of your duties.

The government of Colombia has not omitted any steps that could bring our contest with Spain to an end, in a manner honourable to both parties, and with reciprocal advantages. The government has not been guided by any apprehension of the uncertain issue of the war, but by the desire of saving humanity from the useless sacrifice of fresh victims, and establishing peace between the two nations.

The government availed itself of the first favourable moment to send a commission to Madrid, which being assisted by the progress of our cause, and the change of principles in the political system of Spain, might obtain by reason, that which we were otherwise determined to attain by arms. Our agents were not heard ; imputations, absolutely false, were made against them : they were despatched from the court upon dishonourable pretences, and the manner in which we were accredited was such, that conciliation on the principle of independence was impossible. The government of the Republic was not surprised at this result, for it never had reason to entertain the idea, that the government of his catholic majesty was disposed to renounce the insensate desire of keeping us in subjection : but it was necessary to accede to the wishes of the Spanish commissioners, and to give to the world a fresh proof that our perseverance in the present contest did not proceed from a spirit of revenge or hatred, but from the most sacred duty of a people, aspiring to the improvement of their con-

dition. The subsequent conduct of his catholic majesty's government in reinforcing the armament that assaults our territories, and that of the general of the expeditionary army, in declaring the treaty of Truxillo void, thus deprecating the rights of nations, has finally proved to us that our enemies will henceforth tenaciously carry on their system of exterminating warfare against the independence of the Republic. The executive government is firm in its determination not to listen to, nor admit of any negotiation on the part of Spain, which has not for its basis, the explicit recognition of our national sovereignty.

So well convinced was the government of Colombia of the decision of the government of Madrid to prolong the war against America, that we hastened to establish solid relations with the independent states of the New World, fixing a secure basis on which either the continuance of the contest, or a negotiation with the neutral powers and Spain, should be conducted. The government of Colombia has been the first to lay the foundation of an American confederation, which, uniting the political interests of the vast territory that has separated itself from the mother country, guaranteeing and respecting each other respectively, shall reciprocally communicate a physical and moral power, capable of arresting and annihilating all the undertakings of the government our enemy. The treaties which have as yet been made to that effect will be laid before the Congress, and I take the liberty of offering to it, in anticipation, my congratulations on the satisfaction with which it will perceive the solidity and stability which we have given to the independence of the New World. Great changes have taken place in the Mexican empire since the convention made at Cordova, between the chief of the independents and the Spanish general Odonaju. Don Augustin Iturbide has been placed on the imperial throne, instead of the family called to it by the plan of Iguala and the treaty of Cordova, in consequence of the Cortes of Madrid having declared the latter to be annulled. The government of

Colombia is not accurately acquainted with the nature and particulars of the events which have placed the imperial crown on the head of Iturbide, and has taken measures to procure such information as it deems indispensable to open and cement the relations between the Republic and the empire, on the principle of not interfering with its external arrangements, and to recognise the decided will of the Mexican nation, so long as it adheres to the determination of remaining independent of Spain.

The government of the United States has given a sublime example of justice, in solemnly recognising the independence and sovereignty of the States of South America; that nation, the cradle of the liberty of the world, has perceived with satisfaction that this public act was due to policy and sound reason; and the illustrious members of its government have, by such conduct, added fresh lustre to the glory of a free people, and to its own. There is now residing in this capital a minister from that government, by whose means we are informed of the friendly sentiments by which it is animated towards us, and of its disposition to commence and to establish relations with the Republic. The executive power has hastened to manifest the same feelings on its part by means of a minister plenipotentiary, and to prepare the preliminaries which must precede the negotiations.

With the European powers we have succeeded in entering upon some diplomatic relations, which are at present reduced to the obtainment of an explicit recognition of our national sovereignty. Our cause appears to have attained considerable popularity among some of the most powerful nations; and although their governments have not decided on making the required declaration, they have not given us any cause for complaint. Their acts relative to commerce and neutrality have arisen out of the principle of recognising us as governments *de facto*. That of Colombia has convinced all nations that good faith and justice are the immutable rules of our conduct, and that we make it

our duty to respect the laws of all states, their rights, and those of their respective subjects. Such will always be the conduct of the government and citizens of Colombia, as the means of preserving peace and good understanding with the rest of the universe. It is satisfactory to me, that during the course of my administration on the establishment of a new and delicate system, no questions of difficulty have presented themselves, tending to interrupt the harmony in which we live with all nations.

His faithful majesty the king of Portugal has opened the way in Europe to the recognition of the American governments. That of Colombia had addressed a diplomatic mission to the court of Lisbon, which, among other things, was to regulate the limits of the Republic adjoining the Brazils, but the unexpected death of Mr. Echeverria, and the late events in the provinces of Brazil, tending to shake off their dependence on Portugal, have frustrated our intentions. I have taken steps to arrange with the court at Rome, respecting the government of ecclesiastical affairs, in which so many difficulties have been and are daily experienced, to the manifest detriment of the prerogatives of the supreme civil authority, and of the spiritual wants of the people, The death of Mr. Echeverria interrupted this negociation also, but the government is already prepared to send a fresh mission to Rome. In the mean time, the Congress will be informed of the manner in which this matter is conducted, trusting that your wisdom will lay down a certain, although provisional regulation, that will remove all scruples and other difficulties.

The government has the satisfaction to announce to the Congress, that the free territory which the Republic of Colombia now embraces, is the same as that fixed by the fundamental law of the state. Three new departments have increased the number of those which recognised the law of organization of the 2d of October: the one separated itself from the mother country by its own exertions; the other two have been liberated by the valour of the

army, and the extraordinary ability and prudence of the president liberator. Thus, in them, as in the other seven departments, the political system adopted by the constituent Congress of Cúcuta has been established with general applause. The people have indulged in the best hopes of prosperity on seeing their political and civil liberty secured by the fundamental law. Every Colombian has submitted his own will to that of the law: the glory of the warrior, the illumination of the philosopher, the prerogatives of the minister of the altar, the influence of merit, of reputation, and of virtue—all have humbled themselves before the constitution. With the exception of two or three small bodies of men, who wished to live in the midst of disorder, the government might aver that no sentiments but those of union and fraternity exist in the bosom of the Colombians. The state of order and internal repose which the Republic has attained, has not been disturbed either by the arrogant attempts of the enemy, by his evil suggestions, or by the frequent difficulties arising from the painful state of the treasury, which sometimes offer opportunities for disturbance to those who, in the alteration of a system, experience changes either of fortune or in their views of ambition. The government acknowledges itself indebted for this benefit, first to the mercy of the Supreme Being, who has watched over the fate of Colombia, and next to the efficacious cooperation of all the citizens, of all the authorities, and especially of the venerable clergy, both secular and regular. On so prosperous a basis, public education has begun to spread successfully; information has been diffused by means of the press, the citizens have enjoyed the liberty to denounce the abuse of power, and the people have been inspired with a sincere love for their institutions. The propagation and progress of literary and scientific establishments, which I anticipate from the new statutes of the Congress, and the influence of the local authorities, will doubtless be the best support which our code, and the administration of the government, the security of the Republic,

and its future happiness will henceforward possess. It is a most gratifying duty for me to recommend to you, most ardently, the fate of the Colombian people, whose sacrifices have rendered the entire protection of wise and beneficent laws necessary to them. A most exterminating warfare has destroyed its population, its agriculture, and its commerce, and it is the duty of Congress to do its utmost for the revival of these sources of public and private wealth. I call the attention of Congress to agriculture, commerce, and the mines : our geographical position will afford you the ready means of placing the heroic people of Colombia in a situation to redouble and enrich itself.

Respecting the national revenue, I did not desire to disturb the pleasure the Congress must have experienced on hearing the communications I have just made to it. The public treasury is impoverished; the revenue system requires alteration ; and the necessities which it is urgent to provide for are such as not to admit of delay or procrastination. The government has undergone afflicting struggles in the course of its administration, and the Congress cannot but approve the manner in which it has been able to overcome the struggle between urgent public necessities, and the calamities with which the fortunes of the citizens have been visited. The Congress of Cúcuta passed the most beneficial laws, by which the old colonial revenues were diminished, and the substitution that was adopted to cover the deficit has not at all corresponded to the estimates. The army, and the officers of the civil administration and of the revenue, demand the return of that part of their pay which the government had thought proper to retain; the fortifications, the marine, the artillery and magazines, the officers, the national establishments, all require the consideration of Congress, and so urgently, that, in my opinion, it ought to occupy its first sittings; for without pecuniary resources the government cannot fulfil its duties, nor the nation profit by its independence and liberty. It is to the chamber of representatives that I more especially direct my

voice in this matter : two branches of revenue appear to me capable of assisting us in providing abundantly the supplies I require, those of tobacco and of customs. The first requires funds to improve it, and to make advances ; and the second, well regulated laws. If to these are added the improvements which I expect will be made in the other existing branches, it may be expected that the people, being less burdened, will themselves facilitate the means of improving the national treasury. The government is desirous that the exactions from the clergy, known under the titles of *mesada-ecclesiastica*, *annualidades*, and *media-annata*, may be entirely abolished.

One of the objects to which I must direct the particular attention of the Congress is our foreign debt. You, gentlemen, are aware that the generosity of several foreigners, during calamitous periods, reanimated the spirit of the Colombians, and supplied them with the means of maintaining gloriously the war of independence ; whatever may have been the views and speculations of our auxiliaries, the Republic is their debtor, and we are bound to pay with fidelity. The complicated situation in which this business is placed at present by the proceedings of our agents in Europe, and more so by the difficult circumstances with which the Republic was surrounded until last year, has presented to the government serious difficulties, in adopting a conciliatory and decorous line of conduct. The Congress will be informed of all the details, and will be convinced of the prudence with which I have conducted an affair of so much delicacy. I must, however, declare, that we should raise our national honour above all other considerations, by sacrificing to it that regularity and economy which, in other circumstances, we should zealously and rigorously enforce. We are debtors, and we must pay at any sacrifice. The executive power expects that the Congress will pass a law by which it will be enabled to provide for the payment of the interest, and the gradual liquidation of the principal.

The arms of Colombia have been covered with glory wherever they have proclaimed the laws and liberty; and even in their reverses they have preserved entire the character which they had acquired. At the time when the congress of Cúcuta closed its sittings, the important fortresses of Carthagena and Cumaná were in the hands of the Spaniards; the isthmus and the provinces of the captain generalship of Quito groaned under the unjust dominion of the government of Madrid; the province of Coro had been in a state of insurrection, fomented by Spanish agents; the district of Ocaña was under the dominion of a faction; the province of Guayaquil, disturbed in the interior, was exposed to the fury of anarchy, and a maritime force fearlessly domineered over our Atlantic coast. Now, all has disappeared, and this immense territory, once in the possession of Spain, is under the protection of the laws and government of Colombia. Licentiousness, which generally follows in the train of war, has not stained the reputation of the defenders of the Republic—the laws have spoken—their voice has been more tremendous than the clash of arms, and the conquerors in a thousand battles have never hesitated to obey them with submission. A desperate attempt of the enemy, which his superior maritime force enabled him to make, has roused the public spirit, and recalled to the liberating army its most sacred duty—that of renewing its sacrifices for the independence of the country. Maracaibo, being occupied by the expeditionary general, the executive power conceived itself to be in the situation contemplated by Art. 128 of the Constitution, and has used the extraordinary powers attributed to it in such manner and terms as will be laid before the Congress distinctly. If I have not as yet experienced the satisfaction of learning the complete destruction of the enemy, I have at least that of knowing that his intentions have been frustrated in the invasion of Merida and Truxillo, and that the departments of Venezuela and Boyaca are in a state of

security, the reinforcements of the army of the Magdalena having been efficaciously disposed, and the fortresses of Puerto-Cabello and Maracaibo being in a state of rigorous blockade. Had it not been for the unfortunate occurrence of the insurrection of a few places in Santa Martha, the government would now have announced to the Congress the freedom of the department of Zulia.

The standing army and the national militia require careful regulations and organization ; without these, the government will continue to experience such difficulties and opposition as the enormous difference between the political system of a free state and the military system of an absolute monarchy necessarily produce. The fortresses, which come into our possession in a ruinous state, require urgent repairs ; the magazines and parks of artillery require stores and other warlike supplies, which render the Republic respectable. I recommend to the Congress, with that ardour which it is incumbent on me to feel, the fate of the widows, and of the soldiers and officers disabled in the service of the country.

The exertions of the government have procured for the Republic a sufficient maritime force to protect our coasts and the foreign trade. Without it we should be still subject to the Spanish squadron ; to whose superiority, as I have already said, the enemy is exclusively indebted for the advantages he has attained. But this valuable acquisition will be of no use, if the Congress does not supply the government with the means to maintain, increase, and repair whatever the course of military events, or the accidents of the elements, may render necessary. The secretary of the navy will lay before the Congress more detailed information on this head, and will present to it the result of the glorious trials which our forces have begun to make, together with the regulations, ordinances, and other provisions which the executive has made in virtue of the law, to procure and preserve such a maritime force as our geographical position requires.

Gentlemen—I have lived only to contribute to the fulfilment of the will of the nation : to the rigorous observance of the laws, I have sacrificed projects of utility and convenience, persuaded that submission to them is never more necessary than in the commencement of the establishment of a political system, and that no one ought to bow to them with greater respect than he who is placed at the head of the government. If circumstances have obliged me to exercise the extraordinary powers which the Constitution permits, it never has been my intention to avail myself of them, either against the political freedom of the nation, or of the individual liberty of the citizens. Foreign enemies and internal tranquillity have been the only objects I have had in view in the exercise of such powers ; and in testimony of this truth I can appeal to the whole population of the Republic. I have endeavoured to employ the authority which the representatives of the nation deposited in my hands to its proper purpose ; and if I have not advanced, so far as my desires and my conscience led me to wish, the Congress must attribute it to the want of means, of time, and of tranquillity, and not to my sentiments. From the moment when I took the reins of government, I was persuaded that I was placing myself under a load superior to my strength—that I renounced my liberty, and constituted myself a slave of Colombia ; and I must frankly confess, that if I did not place my hopes in the labours and assistance of the Congress, I should not hesitate a moment in recovering my liberty. In conclusion, Gentlemen, I congratulate the Republic on the installation of the first constitutional legislature ; and entreat of you, with the most ardent feelings of my heart, that we may unite our exertions, our vigilance, and our sentiments, to labour for the happiness of Colombia, and preserve entire the precious treasure of her independence and liberty.

FRANCISCO DE PAULA SANTANDER.

Bogotá, 17th April, 1823—13th.

REPORT
OF
DON PEDRO GUAL,
Secretary of State for Foreign Affairs
OF THE
REPUBLIC OF COLOMBIA,
FOR THE YEAR 1823.

Translated by Colonel James Hamilton.

EVER since the Republic of Colombia attained the degree of power and glory of which she is now in possession, her government has never ceased manifesting, to other independent nations, that, amidst the roar of battles and the shouts of victory, she has known how to respect the rights of foreigners, in the same manner as she wishes them to respect her own.

For upwards of twelve successive years, the persons and properties of neutrals, whether transient, or domiciled amongst us, have been under the exclusive protection of our laws; and it must, therefore, be highly satisfactory to learn, that during the whole of that period, but very few complaints have been made against the conduct of the subordinate authorities, and none whatever against the government. This is the more reputable and honourable to our national character, when we take into consideration, that the acts of some governments, which declared their neutrality from the commencement of the struggle, have not been altogether clear of blame, and

appeared, in some instances, not to have been strictly conformable with those incontrovertible principles, generally acknowledged and received as reciprocal national rights.

In this state of things, the first endeavours of the executive, after the promulgation of our constitutional code, were directed to the reducing to a regular system, those connections which had been commenced or established by private means. Until then, foreign governments seemed determined not to pass the line of policy they had adopted; notwithstanding the palpable necessity of agreeing on some certain and positive rules, by which our relations might be cemented on the basis of reciprocity and general good faith, and not remain exposed to those alterations and interpretations, which the common laws of nations have undergone in these latter times of commotion and revolution, or at least within these last twenty-five years. The principles acknowledged in the several epochs which have elapsed betwixt the treaties of Westphalia and Utrecht, and the various conventions and controversies produced by the French Revolution, until the general peace of Paris in 1814, have varied so essentially in many material points, that it has frequently been almost necessary to disregard the respectable authorities of the first writers on public laws, and consult the spirit of those existing treaties generally considered as impartial.

In all discussions which the executive has had to maintain for our national honour, or to satisfy the claims of other powers, it has assumed, as an invariable rule, not to grant to one what it could not grant to all.

The department of foreign affairs, which has at all times formed the most important branch of public administration, has thus received the consistency and unanimity, indispensable for preserving us from being liable to those evils, which premature and inconsiderate negotiations have occasioned to other nations. The Republic of Colombia has an indisputable right to adhere invariably to the

maxim she has adopted ; for to herself, and to herself alone, does she owe what she is. If the result as yet has not been fully what could have been wished, the executive has at least the consolation of not having compromised the country,—of having made its principles known,—and the hope that, ere long, its endeavours will be crowned with complete success. This flattering expectation is founded on the close and intimate connections contracted and contracting with the other states of ci-devant Spanish America, and the regular progress making, in our political and commercial relations, with the United States and Europe.

To give a clearer idea of the relative situation of our affairs, we shall treat first of the states recently formed on the ruins of the Spanish monarchy in our own hemisphere, and then of the United States and Europe ; the last will naturally lead us to speak of Spain separately, whose vacillating and contradictory policy merits a particular attention. It is not, however, to be expected, that in this summary Report, all that detail will be found, which, on a future occasion, may be laid before the public without risk. Secrecy ought to be the leading axiom in diplomacy, and we shall observe it inviolably in all those matters, where the executive considers it absolutely necessary ; but on every thing else we shall speak frankly, avoiding at the same time a redundancy of ideas, which can in no wise contribute to the object we have in view.

AMERICAN STATES.

The abdication of the Catholic Kings in favour of the imperial family of France, in 1808, paved the way for the dismemberment of the Hispano-American provinces in this continent, and the successive usurpations of the revolutionary governments which opposed those abdications, consolidated, and irrevocably fixed it. Our America has raised a cry against her oppressors ever since, and

has fought, alternately, with various success. Soldiers, politicians, magistrates, ministers,—all have been formed in the school of adversity,—whilst war raged every where,—and every where were exhibited prodigies of valour and devotion to the public cause. Venezuela and New Granada were the first to give the noble example of uniting for ever; and, by that union, overcame obstacles of the most difficult nature. Our geographical situation rendered our country the head-quarters of the troops destined to reestablish in America the hateful colonial system of Spain. Circumstances of danger and difficulty pointed out the wisdom and necessity of founding the Republic of Colombia; and the majestic attitude she assumed, under the auspices of her tutelary genius, terrified and humbled the hordes of Castile, and the power and pride of Spain fled, at length, never to vex us more.

The triumph of Colombia resounded from one extremity to the other of our hemisphere, and the rest of the American family, still bending under the Peninsular yoke, soon recovered their rights. Mexico proclaimed the empire;—Lima, freed by the arms of Chili and Buenos Ayres, adhered provisionally to a Protectoral system;—Guatimala declared for a republican form;—and Colombia, rounding the vast territory marked out in her fundamental law, carried the olive and her victorious arms to our oppressed brethren of Quito and Guayaquil.

A conjuncture of such fortunate events pointed out to the executive that the crisis was come for carrying into execution the grand plan of American confederation, and the following articles were adopted as the basis of the new federal system.

1st. That the American States be for ever in alliance and confederated in peace and war, for the consolidation of their liberty and independence, guaranteeing to each other the integrity of their respective territories.

2dly. That, in order to render this guaranty efficient, the

uti possidetis of 1810, according to the demarcation of territory of each captain-generalship or viceroyalty, erected into a sovereign state, be taken as the rule.

3dly. That, with respect to the personal rights, trade, and navigation of each state, their citizens and subjects shall enjoy, indiscriminately, in their persons, properties, foreign and domestic traffic, the same privileges and prerogatives as the natives of the country in which they may reside, either domiciled or transient.

4thly. That, in order to consummate this compact of perpetual alliance and confederation, a meeting be holden in Panamá, of two plenipotentiaries, from each of the contracting parties, which will form the point of contact in times of common danger, be the faithful interpreter of their public treaties, when difficulties occur, and judges, arbiters, and conciliators, in their disputes and differences.

5thly. That this treaty of perpetual alliance and confederation shall not interfere, in any way, with the exercise of sovereignty of each and all of the contracting parties, with respect to their relations with other independent powers.

Such are the leading points embraced in the negotiations concluded or set on foot by the executive with Mexico, Peru, Chili, and Buenos Ayres : and when they were commenced, we had well-grounded reasons for hoping, that by the meeting of Congress in 1823, they would have been brought to a successful termination ; taking into consideration the activity and superior knowledge of the envoys extraordinary and ministers plenipotentiary charged with the same. In fact, the treaties with Peru and Chili are concluded, and will, in due time, be submitted for the ratification of the legislative body ; and, it is very probable, that we shall receive shortly, by way of the Pacific, that of the united provinces of Rio de la Plata. In Mexico, the negociation has been interrupted by extraordinary circumstances, which the executive

could not overcome: the principal obstacle does not originate in the form of government adopted there, for that of Colombia has laid it down as a fundamental principle of its policy, never to interfere in the interior or domestic arrangements of other nations. It is easy to acknowledge any government whatever, knowing the source from whence its authority emanates, and, consequently, that it is susceptible of progressive improvement. The Republic of Colombia has solemnly acknowledged the independence of the empire; but for extending that acknowledgment to the dynasty which has been established there, in the person of Don Augustin de Yturbe and his family, data are to this day wanting, notwithstanding the most efficacious means used to procure them. In the interim, the necessary instructions have been given to the Hon. Miguel Santamaria, whose circumspect conduct has been highly satisfactory; but, unfortunately, when expecting information from that meritorious envoy, we learn, by the last communications from that court, that Mr. Santamaria's conduct had not been over agreeable to the new head of the empire. It has been pretended there, contrary to all received rules, that our envoy should forthwith acknowledge the new dynasty, although he has no powers to that effect, which acknowledgment he consequently refused, respectfully and decorously, as was his duty so to do. At the same time, symptoms of discontent have broken out in various parts of the empire, principally in San Salvador de Guatemala, in Nicaragua, and in Veracruz, which province has declared for a republican form of government.

This more than justifies the circumspection with which the executive has acted in a matter of such transcendent importance.

Whatever may be the result of these extraordinary events, the government of Colombia will ever take the strongest interest in cooperating for the welfare and prosperity of our independent brethren in Mexico, and will not omit

seizing the first favourable opportunity which may offer, of drawing closer the bonds of fraternal feeling contracted in unison with the other co-belligerents.

UNITED STATES AND EUROPE.

In turning our eyes from nations at war with Spain to the United States and Europe, it will not appear strange, that, notwithstanding the difference of their geographical situation, we place them under one head, in consequence of the identity of principles on which the executive has acted indiscriminately towards each and all. The inhabitants of ci-devant Spanish America being left to themselves, it was quite natural that they should concert those measures of interior and exterior policy dictated by imperious necessity. Incorporated successively in the great family of civilized nations by our own efforts, it was undoubtedly our primary duty to treat all with equal consideration and respect, without shewing predilection for any in particular. The executive, guided therefore by that salutary maxim, has uniformly adhered to the most liberal principles, and those most generally received in default of public treaties, and by so doing, has promoted a mutual harmony and good understanding; on the same grounds nothing has ever been proffered to one, which could not be granted to all. Special favours and exclusive privileges would inevitably subject us to evils of the greatest moment. Our ports have been, and are, open and free to the trade of neutrals; that they may learn by experience the importance of a country, which the miserable policy of Spain had kept sealed to the rest of the world. The effect of this reciprocal interchange of interests between Colombia and other powers, has gone on augmenting insensibly the persuasion, that some of them would come to a direct understanding with our government; and that persuasion has been strengthened by the edicts issued by the Spanish chiefs in the several epochs of the war, anxious to reestablish their ancient pretensions

to the monopoly of our commerce. The conduct of the enemy, whenever he thought there was the least probability of his being able to effect our subjugation, forms so striking a contrast with our ingenuousness and liberality, that it may well serve to shew what is to be expected from the one and the other. The government of Colombia on that account regrets exceedingly, that one of our agents in Europe should have passed, on his own responsibility, a circular note, in date of April 8th, 1822, to several cabinets, intimating, that those who did not acknowledge us, would be immediately excluded from our markets. If that circular has given offence to some, as we understand it has, it ought to be borne in mind, that the principles it holds forth do not form any part of our policy, and so it was communicated to Mr. Zea himself, in date of July 23d last. To time, therefore, has been left the developement of that most important fact, that political and commercial connections cannot long exist in a vague and uncertain state, and that it is requisite to come to a direct understanding to promote by mutual accord future well-being and prosperity. It is extremely agreeable to observe the effects already produced, as will be set forth in the simple narrative of facts on which we are about to enter.

The people of the United States, although of a different origin from the other inhabitants of this continent, felt, from the commencement of the present war, that sympathy, which was natural, and which would necessarily be excited by vicinity and analogy of circumstances. The new American States, anxious to profit by that friendly feeling, addressed the government; but all efforts were of no avail until 1822, when the United States formally acknowledged our independence. For it we were greatly indebted to the ability and address with which Mr. Manuel Tooves, our chargé d'affaires at Washington, set forth our rights to it. The death of that illustrious patriot and statesman, which took place on July 14th last year, interrupted the relations, which, in consequence of so frank and

just a proceeding, would otherwise have been established. The Hon. José Maria Salazar was appointed immediately to succeed Mr. Tooves, with the character of envoy extraordinary and minister plenipotentiary; when, in the meanwhile, colonel Charles S. Todd arrived in this city in December last, with the special charge of communicating to the government the several acts in which the United States had solemnly acknowledged the Republic of Colombia, and the wishes of their illustrious and venerable president to be informed on what footing our subsequent negotiations would be conducted. The executive of Colombia, bearing in mind the state of our finances, was of opinion, that during a negotiation, plenipotentiaries might be appointed, and continued until the ratification of definitive treaties, and afterwards, as *chargés d'affaires*, to remain in Washington and Bogotá, for the purpose of forwarding our mutual interests, and maintaining unalterable the harmony and good-will produced by those conventions. It has been wished also to negotiate a treaty of commerce and navigation in this city in preference to any other place, for reasons so obvious that they require no explanation. On every point we have acted with our accustomed candour; and it is to be hoped from the deference shewn on this occasion by the government of the United States to that of Colombia, that the political views of both will readily meet each other as to the place where the negotiation will be carried on, and which will fix our future relations on a solid and stable basis.

In Europe, the court of Lisbon was the first to acknowledge, or manifest its intention of acknowledging, the independent governments of the new American States, in a note which Don Juan Manuel Figueredo, agent of his most faithful Majesty in Buenos Ayres, addressed to the envoy of Chili, Don Miguel Zañartu, August 11th, 1821. This measure was founded on the just principle of the obedience of the people to their constituted authorities, and was extended to all independent America with the object of entering

into relations of friendship, commerce, and navigation, with the respective governments. The executive of Colombia, however, had no direct communication of this disposition of the court of Lisbon until last year, when his excellency Don Silvestre Pinheiro y Ferreira, minister and secretary of state of his most faithful majesty, participated the same to our agent in London, with a copy of the instructions given Mr. Figueredo for the said object, in date of April 16th, 1821, and in them the political views and favourable disposition of that government towards the Republic of Colombia are seen. The executive, anxious to take advantage of such a friendly feeling, appointed the Hon. José Tiburcio Echeverria to Lisbon, with the character of envoy extraordinary and minister plenipotentiary; but the death of that deserving member of our diplomatic corps deprived us of the benefits which might well have been expected from his tried experience in the management of public affairs.

During this period material changes have taken place in the Portuguese monarchy, to which we cannot but advert. His most faithful majesty, on his departure from Brazil left the government of that vast kingdom in the hands of the prince royal, Don Pedro de Braganza. It appears, that the people of Brazil saw with discontent the removal of the court from Rio Janeiro to Lisbon, and almost immediately declared their independence of the parent country. The prince royal shewed himself at this crisis the protector of public opinion; and his conduct gained him such popularity, that he was at last proclaimed emperor of Brazil, and solemnly crowned at Rio Janeiro the 14th of October last. By the last advices, all Brazil had acknowledged with enthusiasm the new emperor, with the exception of Bahia de Todos los Santos, where four thousand European troops still supported the cause of Portugal. In Monte Video the same appears to have taken place. Amidst these changes a Portuguese authority of the first order has made proposals; which indicate the wisdom and foresight

of the cabinet of Lisbon, but the executive has found itself in considerable perplexity how to renew the negociation, with which the deceased Mr. Echeverria was charged. Nothing requires greater circumspection and deliberation in an incipient state, than its first act of interference in family disputes, which have occurred in a nation to which we owe a debt of gratitude for its noble, frank, and disinterested policy towards us. On the one hand we cannot be insensible to the cause of our brethren of Brazil, and on the other we must feel an interest in the welfare and prosperity of a government, which has distinguished the first steps of its political regeneration with a declaration so very worthy of the age we live in. We have at present no alternative, but to address our vows to that Supreme Being, in whose hands rest the fate of empires and the destinies of the human race, until future events point out the path we ought to tread.

On the continent of Europe other powers have also evinced an inclination to encourage the trade with independent America.

As far back as 1811, the great chancellor Count Romanzoff communicated to Mr. Mendez, agent of Venezuela, in London, a resolution of his majesty the Emperor of all the Russias, to admit our flag into the ports of that vast empire on the same footing as other neutrals.

France, the Netherlands, and Sweden, have recently made the same declaration.

The governor and rear-admiral of the island of Curaçoa addressed a note with this view to the secretary of state for foreign affairs, in date of Oct. 16, 1822, expressing the wishes of his majesty the king of the Netherlands to encourage the relations, which are in fact forming.

His majesty the king of Sweden and Norway has sent to this city his consul general to the United States, for the purpose of effecting a provisional commercial arrangement. The proposals made in consequence by the chevalier Lorich will in due time be submitted to the legislative

body, in such parts as may be deemed to require its concurrence and approbation. Of whatever nature they may be, we think it right to anticipate, that it is only intended to make a short trial, in order to draw the interest of both countries closer, and acquire thereby the necessary information for concluding a definitive treaty of commerce and navigation.

In almost all the other ports of continental Europe the Colombian flag is admitted and respected ; or there is at least a disposition to admit and respect it, as appears by various communications received here.

The laws of our first Congress, held in Cúcuta, on privileges and the encouragment of our mercantile marine, must have powerfully conduced towards producing such an effect. They facilitate the naturalization of foreign vessels, and protect the direct trade of Europe with our ports. In them is also established the difference of the duties of imports and exports, by foreign and national vessels, although the cargoes of these latter may be the property of subjects or citizens of other powers. If, to the various principles dispersed in our trade and navigation laws, those wanting were added, and the whole concentrated into one single well-digested navigation act, suited to our present situation, our maritime system would be complete ; and by such a measure we should make known the great importance of a trade, already beginning to emerge from that state of languor in which the present constitutional regimen found it. This would be a fertile source of public wealth, and the most certain way of forwarding our connections with other nations.

Relations of friendship and good understanding with the whole are not to be formed by abstract theories or vain speculations, but by the advantages and benefits which may accrue from frequent communication and intercourse.

This would seem to prove, that as the commerce of Great Britain is that which has the most extensive connections with us, it would have been easy for both sides to have

come to some understanding, so as not to leave our interest exposed to all the vicissitudes of a civil war. But up to this day nothing we have yet done has been sufficient to induce the government of his Britannic majesty to enter into direct relations with this country. Previous to the union, both New Granada and Venezuela made considerable attempts to bring it about, and the Republic of Colombia has renewed them since with the most lively interest.

Our anxiety to accomplish so desirable a measure has been, and is, proportionate to the high degree of influence acquired by that cabinet, not only in Europe, but in the whole universe, and more especially since the events of 1814 placed the British empire in the first political rank of nations. The British navy, the most formidable in the world, has established every where, and in every clime, a commerce so vast, that there can remain but little to wish for. To us the friendship of Great Britain is of the highest importance; and the good-will which the people of that opulent empire have ever professed towards us, is a presage not a little consolatory of what we may hope from its government. In no country have we met with friends so constant or so generous in the most calamitous and trying times of our struggle. Not satisfied many of them with assisting us from afar, they have crossed the ocean, and come to participate in our privations, and brave our dangers in the battle-fray. Colombia, in short, is bounden to various British subjects in an immense debt of gratitude, and has an anxious desire to give them proofs of her feelings, if not with a reprehensible profusion, at least with a consummate liberality.

The merchants and manufacturers of that country have shewed themselves equally sensible to the advantages offered by our market. From all parts petitions have been presented to ministers, setting forth the principal reasons, which call for, or recommend, the necessity of a direct communication with us. In parliament itself most eloquent speeches have been made in favour of the measure. The

government of his Britannic majesty at length declared, in the month of April 27th, 1822, the trade of Great Britain with the ports of Colombia to be legal, and it now only remains to fix the mode in which an efficient protection can be given to it. It rests with the wisdom of his majesty's counselors to solve the question; but in our humble opinion, nothing could so readily or so certainly remove the difficulties which present themselves, as a direct arrangement with our government, our existence in the rank of sovereign nations being previously acknowledged. Then would the commerce and agriculture of Colombia soon reach a pitch of prosperity far beyond what the most sanguine calculations have anticipated. Then would the commerce of the British empire, by its immense capital and active and enterprising spirit, acquire, in all probability, in our market an importance, which, it would appear, has not hitherto been estimated as might have been expected.

If we give credit to what has been repeatedly written us from London, we must admit, that the inconsiderate operations of Mr. Zea, both in political and financial matters, have essentially conduced to embarrass and perplex. We have already noticed his circular note, which, from its style, and the manner in which it was addressed, was certainly seen and received in many quarters with extreme displeasure. His financial transactions were, however, still more arbitrary, and destitute of every reason which could induce the executive to approve of them, even taking them on the ground of expediency alone; but, as we have to treat of this affair separately, we shall refrain from further observations here, having touched on them merely in consequence of the connection they bear to subjects of diplomacy. The good faith and credit of a nation are objects of such vital importance, that without them every pretension to be held, considered, or respected in the rank, which might otherwise be claimed with justice, is vain and illusory. The wisdom of the legislative body can alone conciliate this apparent contradiction, by virtue of the powers

it is invested with by our Constitution in all affairs of credit. It is of the most imperious necessity, and in preference to every other matter, that our credit should be consolidated, in order to silence at once the clamours of many, and place our diplomatic negotiations on a par with those of other nations. Up to this time the executive has been able only to restrain the progress of evil, and steer clear of ruinous consequences to the Republic in future.

SPAIN.

Of all civilized nations on the face of the globe, Spain is the only one which disavows, or appears to disavow, those grand truths;—that a nation in want of every thing, a nation which has lost its manufacturing industry, whose fields are abandoned and left waste, and which is devoid of the necessary knowledge and experience for bettering its condition, ought to reconcentrate itself, as the only means of issuing from the fallen and wretched state to which it has been reduced by an arbitrary government of many ages. That the constitutional system of Cadiz extended to the vast possession of the ancient Spanish monarchy in Europe, Asia, Africa, and America, is a complete delusion, and a chimera which has never existed, and never can rationally exist. Without a competent navy, distant colonies cannot be preserved; and the relations of one people with another, founded on good-will and reciprocal convenience, are much more advantageous, and infinitely more lasting, than those established by force.

The treaties concluded in Truxillo, on the 26th Nov. 1820, after such dreadful scenes of barbarity and desolation, seemed to announce, that Spain was beginning to abandon that ruinous policy, which had rendered miserable all those living under it. On that memorable day, Don Pablo Morillo appeared at Santa Ana, invested with the full and unlimited powers conferred on him by his sovereign, saluted the Republic of Colombia and her illustrious President;

when both, by common accord, adjusted and ratified the said treaties of armistice for six months, and the regularization of the war. An act so sublime, and which did so much honour to the contracting parties, was principally with the intention, that an understanding might be established during the truce, so as to bring about a peace. The formalities with which the negociation was conducted, the decorous and impartial language used in both instruments, and the repeated protestations of the Spanish chiefs, which appeared to proceed from their very hearts, were sufficient to induce a belief that such a happy result was probable. The government of Colombia immediately appointed Messrs. José Raphael Ravenga, and José Tiburcio Echeverria, to the court of Madrid, with credentials, full powers, and instructions, signed in the city of Bogotá, January 24th, 1821; and as two months of the armistice had already elapsed, they had special powers for soliciting in Caracas a prolongation of the time necessary for treating in Madrid with the government of his catholic majesty. The parties not being able to agree on the conditions of prolongation, our plenipotentiaries embarked in *La Guayra*, March 24, on board the Spanish corvette, *Arethusa*, and arrived at Cadiz, May 14th, 1821. What would be the astonishment of our messengers of peace, when hardly having trodden the shores of Spain, they began to hear from those initiated in the mysteries of that cabinet, a very different language from what had been used by its agent on the Main! The government of his catholic majesty had just granted pardons to those, who had merited applauses from one extremity of the world to the other for their extraordinary exertions in defence of their liberties. A line of conduct, as absurd as unexpected, was seen by the thinking, calculating, and the really liberal men in Spain, with a disgust which can neither be explained nor described, but by those who have attentively followed the steps of a government, which, from the first, has never ceased blindly undermining the edifice raised in the island of Leon.

Notwithstanding the discouragement excited by such contradictory conduct, our plenipotentiaries pursued their journey, and reached Madrid the 30th of the said month of May; and here they had positive proofs, that not only the ministers of his catholic majesty, but the pretended pacificators of the Main, were not animated with that good faith and sincerity, with which we had entered into negotiations for peace. The former thought they could reduce us to sue for peace on degrading terms, derogatory to our dignity and national character, and the latter sought numerous pretexts for renewing hostilities previous to the expiration of the armistice, as is proved by the correspondence of General Don Miguel de la Torre, of February and March, to the minister of ultramarine affairs. The government of Colombia, which, in the very first days of the truce, had discovered the artifice and duplicity of the enemy, made preparations to let him feel the weight of her power; but as that correspondence was then attributed to men led away by their passions, to men habituated to the enormities committed during this war of extermination, the resolution was suspended, and it was determined not to act, until it was also seen that nothing good was to be expected from Madrid. The consequence was, the renewal of hostilities on our part, on April 28th, 1821, at which time our plenipotentiaries remained in Madrid, without having been able to advance one single step in the negociation. Their first and last interviews with Mr. Bar-daxi de Azara did not take place until June 5th, in presence of the other secretaries, and was confined to a conversation of trifling interest. This, together with other circumstances, shewed, that no negociation would be entered into with Colombia separately, whilst many were occupied with forming plans of general pacification, with opposite views and interests. The most strenuous enemies of America had at last learned, that their wretched ridiculous system of pardons, far from producing any favourable effect, was every day increasing an irritation in the minds of the

inhabitants of this continent, confirming some in their noble intention of being independent, and inspiring others with the wish of being so. It was therefore necessary to set that hacknied policy aside, and seek some more efficacious means. It was now requisite to examine the question intuitively, and remove those perplexities which were opposed to the pacification. The report presented by the minister of ultramarine affairs, Don Ramon Gil de la Cuadra, to the ordinary cortes, on March 1st, 1821, on ultramarine affairs, offered some materials to be made use of in such a discussion. In it Mr. Cuadra speaks diffusely of lazarettoes, hospitals, schools, the arrangement of his office, and other futile and impertinent trifles, as if the whole of America was in profound peace. The committee of the cortes, which examined this memorial, shewed in their report of June 4th following, on the population of the ultramarine provinces, what people are capable of doing, who shut their eyes and ears to the causes of the evils with which they are surrounded. The committee thought of rendering us a great service by their project of repartition of waste lands, because Mr. Cuadra asserted in his memorial, that the measure was of the highest importance to America, both economically and politically, and in both ways the king expected wonderful results from it. A long period did not elapse before the king and the cortes discovered, that they were losing their time to no purpose, in extraneous questions, while the real matter was left untouched. The cortes, at the request of Mr. Paul, appointed on their part a committee of their own body, to suggest the best means of closing the dissensions with which various countries of America were unfortunately afflicted. The committee, after frequent and long sessions, at which the minister and a great number of deputies were present, presented their report June 24th, concluding with, that the government should be excited to propose to the cortes the fundamental measures which the situation of America required. In this it was easily seen, that several, or all, of the

committee wished to enter into the merits of the case, but abstained from doing so out of respect to the private opinion of his catholic majesty's ministers. Great hopes were formed from the plan of regencies, which the major part of the ultramarine deputation, and particularly that of Mexico, presented to the cortes the same day. Ministers supported the plan underhand, but, as we learn, refused doing so openly, that they might sound public feeling without compromising themselves. Messrs. Ravenga and Echeverria, immediately sent a copy of our fundamental laws to the secretary of state, to shew the incompatibility of the measure proposed with our social organization. The plan of regencies was finally given up, ministers themselves thinking it unconstitutional, and the king finished the speech, with which he closed the ordinary cortes on the 30th June, saying, that urged to propose the most proper means for the well-being of the ultramarine provinces, he would do so with all possible expedition, and that the Spaniards of both worlds ought to be persuaded, that he desired nothing so much as their happiness, founded on the integrity of the monarchy, and the observance of the constitution.

This determined and solemn declaration, together with the bad turn given, at the same time, to public opinion, by means of virulent invectives and calumnious publications against America, caused every shadow of hope of peace to vanish. Our plenipotentiaries, however, in spite of all this, determined to remain at the court until September 1st, when they received a note from the secretary of state, in date of August 30th, in which, after having, amongst other charges, accused the government of Colombia of infractions of the most solemn compacts and rights of nations, he enclosed their passports, observing, that they should lose no time in commencing their journey, as their remaining in Spain might be prejudicial, and was moreover quite useless, from their not being in a state to be listened to by his majesty, and for

other reasons which he did not think necessary to explain. This unexpected determination, which had been for some days previous announced in the public papers, together with the irritation excited against Americans in general, in the most scandalous manner tending to implicate them in the tumult of the 20th August preceding, against the person of General Morillo, convinced our plenipotentiaries that they had not a moment to hesitate as to the part they had to take.

Vain, indeed, would have been all explanations given then, however clear and convincing, against the imputations and general and indefinite charges of the Spanish government. The resolution was taken not to lend an impartial ear to any thing that might be advanced ; and accustomed to decide on the destinies of America from the interested information of its own agents, this first attempt of respect and consideration towards those, hitherto held in degradation, must have been particularly mortifying. Such is the force of habit, that it confounds times and circumstances, and keeps those under its influence in a state of continual delusion most flattering to their self-love. The plenipotentiaries of Colombia were obliged, in consequence, to content themselves, at the time, with a simple reply to the note of dismissal, and left Madrid in twenty-six hours after receiving their passports, reserving, to a more favourable opportunity, the vindication of the honour and dignity of the country, and which they accordingly did from Bayonne, in date of September 14th. In their prolix statement, the facts are set forth which appear to have given rise to those general and indefinite charges. In it, the enemy will have seen the principles on which our right was founded of protecting Maracaibo, then independent, by the spontaneous declaration of the Spanish authorities and the people, and in which affair our chief magistrate could not have given a stronger proof of his love of justice, than by offering to leave it to the decision of arbitrators, and nominating as his the Spanish brigadier, Don Ramon Correa. In it will

have been seen, that we did not renew hostilities twenty-six days before the expiration of the term of the armistice, but for our own preservation, the first law of nature, when it was already inevitable, and after going through the formalities prescribed by Article 14 of that treaty, in the event of such an unfortunate occurrence taking place. And, in short, in it will the government of his catholic majesty have seen, that if on their side they had vague and indeterminate accusations against us, we could on ours complain of positive infractions by irrefragable acts, which from the very first placed beyond a doubt the want of sincerity and uprightness, with which we were invited to enter into the negotiation for peace.

Since the departure of Messrs. Ravenga and Echeverria from Spain, the government of that country has by degrees been moderating its pretensions of addressing America with that decided and imperious tone it had previously assumed. In the speech with which the king opened the following cortes, he slightly noticed the pacification of America as a point not closely connected with the constitution. The cortes, after hearing the reports of the respective committees, resolved, on the 13th of February 1822, to represent to his majesty, that he should without loss of time appoint fit persons to present themselves to the governments established in America, and listen to and receive all proposals they might make. The king did not order this decree to be complied with and carried into effect until the 5th of March ; the minister of ultramarine affairs did not transmit it to the minister of war until the 31st of the same month, and he again to the commander-in-chief of the expeditionary army until the 15th of April, and not before the 18th of May was the said general-in-chief advised, that his majesty had appointed brigadier Don José Santorio, and captain Don Juan Barry, to treat with our government.

In commencing this extraordinary negotiation his catholic majesty, in consequence of Article 4th, of the decree

of the 13th of February, addressed a manifesto to the courts of Europe, protesting that Spain would consider a partial or entire acknowledgment by any of them of the independence of the ultramarine provinces as an infraction of the treaties existing, whilst discussions with the mother country were still pending. This interesting document, of which extracts had appeared in foreign newspapers, did not reach the government of Colombia in an authentic shape until very lately, when it was authorized by the signature of Mr. Clemencin. In it the Spanish monarch endeavours to employ against the right of insurrection in America, the very same principles which, either voluntarily, or otherwise, he had acknowledged and authorized in favour of his subjects in Europe. The emancipation of America is so clearly demonstrated to be the interest of the whole world, that, for contradicting it, recourse must be had to the sophisms and vague protestations with which that manifesto most profusely abounds, and the cabinets of Europe will have given the paper the value and consideration it merits, the clauses of which appear directed rather against the principles of disorganization introduced into Spain for some time past. By comparing the political institutions and the conduct of both countries, the opinion of an impartial world cannot but be in our favour. The government of Colombia prepared for so new and singular a negotiation, and, on the 19th of May last, communicated to the intendants of the maritime provinces the orders it conceived necessary, and which were founded on the information which could be procured of the character of the commissioners; the executive being fully convinced, that Colombia and Spain cannot come to a decorous understanding without mutually observing those usages and customs consecrated by practice amongst civilized nations, and which absolutely disavow such a mode of negotiating in time of war; at least from what can be collected from the discussions in the extraordinary cortes, from what the ministers of ultramarine affairs said in them, and

from the very letter of the decree of the 13th of February. The door, however, has been left open for contestation, which, although probably useless, may conduce indirectly to the termination of the war ; and, if there has been any condescendence in this, it is a sacrifice to the consideration in which we hold other nations, to whom we were desirous of giving positive proofs, that passions excited by civil war, and the irregular conduct of the enemy, have not shut our ears to the cries of nature, and that, although we do not fear war, we most anxiously wish for peace. Convinced of this truth, many of the most illustrious deputies of the cortes declaimed violently in the preceding sessions against the inefficacy and irregularity of a measure, which, far from being conciliatory, gave strong reasons to suspect, that what was pretended to be done was merely for the purpose of introducing spies into these countries ; and the ordinary cortes, which subsequently followed, saw it so clearly, that, on June 28, they gave the king ample authority to take such steps with respect to the ultramarine affairs as might be expedient, and required by the various circumstances of the places, where his influence or authority might be necessary, or for the adoption of more energetic and active means for supporting his undertakings. The king was moreover charged, among other things, to empower the commissioners to form and conclude provisional conventions with the American governments, in order, that during the negociations, a reciprocal commerce might not be interrupted.

The executive of Colombia saw from these decrees, that the Spanish government was beginning to know its own interests, and to adopt a more frank and liberal policy ; but remarking on the other hand the silence, which up to this day has been observed with regard to the projected negociation, and the assurance given to the cortes by the minister of ultramarine affairs that, he had put all the elements of discord into motion, it cannot be persuaded,

that the enemy is acting with the good faith he so loudly proclaims.

Nearly about the same time, the commander-in-chief of the expeditionary army published two decrees in Maracibo, in date of September and October, of consummate importance from their nature and consequences. In one, he abolishes the regularization of the war, thereby opening a field for a repetition of his past excesses; and in the other, condemns to confiscation, to the public works, and to death, the subjects and properties of neutral powers, which might be found in the provinces his arms might occupy. The government of Colombia ought now to resist, with her accustomed energy, the aggressions of that desolating barbarian, and make him know that none under the canopy of heaven can offend with impunity the people, and foreigners living under the protection of our laws. To other nations, however, it belongs to screen the persons and properties of their subjects, which, by the fortune of war, may fall into the hands of so callous and cruel an enemy, from his proscriptions and sanguinary edicts. In like manner they may judge of the sincerity of the protestations of his catholic majesty, contained in the manifesto above-mentioned.

When the history of this thirteen years' war comes to be published, into which we at first entered with the view of bettering our domestic condition, and afterwards continued, in defence of our existence, menaced with total destruction by the anathemas of the court of Madrid, the world will see, with astonishment, that the enemy has had no other means for restraining the progress of our majestic career, than those of seduction, pardons, and perfidy. Until February and June, 1822, the Spanish government would not admit that our revolution originated otherwise than in a silly love of change, and not in the desire natural to man for promoting his own felicity, excited and put in motion by the stupendous events subsequent to the

abdications of Bayonne. During this period, America has suffered innumerable miseries and calamities, but Spain has also been forced to drink of the cup of bitterness, even to the very dregs, and it would not have been possible to have calculated to what extremity her woes would have reached, had the glorious insurrection of the troops, destined to continue the war, not shewn her the dreadful abyss into which she was gradually plunging. Spain at length execrated the tyranny with which she had been tormented, and proclaimed the rights of the people; and the friends of humanity in all countries accompanied her with their good wishes in her career, undertaken with such great order, amidst so many difficulties and impediments.

The government and people of Colombia participate in the feeling, and even more strongly from the interest naturally excited for companions in misfortune. In the meanwhile, Spain will have to suffer all the vicissitudes and caprices of chance; but the time will come when the conduct of those at the helm of affairs will be in complete unison with public opinion, and the knowledge and information of the age. Then Spain, Mexico, Colombia, Peru, Chili, and Buenos Ayres, will present to the world the new and splendid spectacle of six free and friendly nations, speaking the same language, and betwixt which will exist an interchange of mutual affections and ideas for guaranteeing their future prosperity. To accelerate that period of happiness and consolation for both people, the executive has incessantly laboured to render uniform the political views of the new American States; and it was time to give a strong impulse to our common cause, by combining our means of offence and defence, and make the enemy feel the impotency of those who might oppose us. The federal system we have adopted will undoubtedly produce that desirable result, make us terrible in such wars as may arise, and give us in peace an extraordinary importance in the eyes of the civilized world.

In the United States, and in the whole of Europe, with

the exception of Spain, the executive meets only motives for being satisfied with the impartiality with which the neutrality declared by the cabinets of those countries at the commencement of the war has been observed; nor have the importunities of the government of his catholic majesty at various epochs, and particularly at the Congress of Aix-la-Chapelle, to take part in its unjust pretensions, been able to induce them to deviate from that line of policy. On the contrary, Portugal and the United States have acknowledged our independence; Great Britain respects our rights as belligerents, and declares the trade betwixt her subjects and the Republic to be legal. Sweden, the Netherlands, and other free countries of Europe, admit and respect our flag in their ports.

In this manner the executive has constructed its system of foreign policy on the three grand principles of perpetual alliance and confederation amongst the co-belligerents—uniformity of conduct towards neutrals—and the application of all our disposable resources of offence and defence against the enemy, until he be brought to sue for peace.

When that event, so much wished for, takes place, the government of his catholic majesty will receive positive proofs of the good dispositions with which that of the Republic is animated, for promoting by common accord the mutual interests of both nations, without failing in the obligations we have contracted, or may contract, with other powers of Europe and America.

Heaven grant that that day, fraught with consequences of the highest importance to present and future generations, may not be far distant!

PEDRO GUAL.

Bogotá, April 17, 1823.



